



# भारत का राजपत्र The Gazette of India

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
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नई दिल्ली, शनिवार, अगस्त 25, 1984/भाद्र 3, 1906  
NEW DELHI, SATURDAY, AUGUST 25, 1984/BHADRA 3, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate  
compilation

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 24 अगस्त, 1984

का. आ. 639(अ) :—केन्द्रीय सरकार ने, विधि विरुद्ध क्रिया-  
कलाप (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 3  
की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत  
सरकार के गृह मंत्रालय की अधिसूचना सं. का. आ. 28 (अ),  
तारीख 20 जनवरी, 1984 द्वारा मिजो नेशनल फ्रन्ट को, जिसके  
अन्तर्गत उसके द्वारा स्थापित अन्य निकाय भी हैं, और तथाकथित  
मिजो नेशनल आर्मी को विधि विरुद्ध संगम घोषित किया था ;

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 5 की  
उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत  
सरकार के गृह मंत्रालय की अधिसूचना सं. का. आ. 97 (अ),  
तारीख, 14 फरवरी, 1984 द्वारा, विधि विरुद्ध क्रिया-कलाप  
(निवारण) अधिनियम गठित किया था जिसमें श्री टी सी. दाम,  
गोहाटी उच्च न्यायालय के न्यायाधीश हैं ;

और, केन्द्रीय सरकार ने उक्त अधिनियम की धारा 4 की  
उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 15

फरवरी, 1984 को उक्त अधिसूचना उक्त अधिकरण को, यह  
न्याय निर्णयन करने के प्रयोजनार्थ निर्देशित की थी, कि उक्त  
संगम को विधिविरुद्ध घोषित करने का पर्याप्त हेतुक है या नहीं ;

और उक्त अधिकरण ने, उक्त अधिनियम की धारा 4 की  
उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिसूचना  
सं. का. आ. 28 (अ) तारीख, 20 जनवरी, 1984 में की गई  
घोषणा की पुष्टि करते हुए, 16 जुलाई, 1984 को एक आदेश  
दिया है ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4  
की उपधारा (4) के अनुसरण में, उक्त आदेश प्रकाशित करती  
है, अर्थात् :—

आदेश

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 24th August, 1984

S.O. 639(E).—Whereas the Central Government,  
in exercise of the powers conferred by sub-section

(1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), declared the Mizo National Front including the other bodies set up by it and the so-called Mizo National Army to be unlawful associations vide notification of the Government of India in the Ministry of Home Affairs No. S.O. 28(E), dated the 20th January, 1984;

And whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 5 of the said Act constituted vide notification of the Government of India in the Ministry of Home Affairs No. S.O. 97(E) dated the 14th February, 1984, the Unlawful Activities (Prevention) Tribunal, consisting of Shri T. C. Das, Judge of the Gauhati High Court;

And whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 4 of the said Act referred the said notification to the said Tribunal on the 15th February, 1984, for the purpose of adjudicating whether or not there was sufficient cause for declaring the said associations as unlawful;

And whereas the said Tribunal, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, made an order on the 16th July, 1984, confirming the declaration made in the notification No. S.O. 28(E), dated the 20th January, 1984;

Now, therefore, in pursuance of sub-section (4) of Section 4 of the said Act, the Central Government hereby publishes the said order, namely :—

#### ORDER

Mizoram is basically a hilly territory with six mountain ranges running north to south and is flanked on two sides—east and west, by two foreign countries, namely, Burma and Bangladesh. Owing to geographical proximity, the territory of Mizoram paid particular attention to developing and nurturing militancy among the extremists to carry on their activities till the fulfilment of their objective of achieving an independent Mizoram with its own set up government. Some of the camps found place at secluded mountain terrains which are the fertile breeding ground for the extremists. Since 1966 this part of the country has been in constant troubles as because Mizo National Front declared independence and attempted to take over the administration of the entire Mizo Hills District. Therefore, besides other actions taken in this regard, it was necessary on the part of the Central Government to issue a notification declaring the formation of Mizo National Front and Mizo National Army as unlawful association under the provisions of the Unlawful Activities (Prevention) Act, 1967 (for short, the Act), with effect from 16th January, 1968. The declaration was duly confirmed under Section 4(3) of the Act by the Tribunal constituted as per notification of the Central Government in exercise of the power under Section 5(1) of the Act. Even then the security forces of Union of India had to launch operational activities to curb out the insurgency in the territory of Mizoram. The declaration on being confirmed by the Tribunal as per provisions of the Act, remained in force for a period of 2 years. Thereafter on expiry of two years another Tribunal had to be

constituted as the activities continued. Dealing with the matter, again M.N.F. was declared as unlawful previous to this occasion and the Tribunal constituted with Hon'ble Mr. Justice Hansaria by the order dated 27-5-82 confirmed the declaration so made under the provisions of the Act.

2. Therefore, it appears that there are materials in support of the fact that the M.N.F. had openly declared its objective for the formation of an "independent Mizoram" comprising of the Union Territory of Mizoram and the adjacent Mizo or Kuki inhabited areas of Assam, Manipur and Tripura and has been continuing its activities to achieve the said objective and to bring about secession of the said areas from the Union of India. M.N.F. has also set up other bodies to achieve its objective and in furtherance of the aforesaid objective, has been attacking the security forces, government officials and the citizens of the Union Territory of Mizoram and indulging in acts of looting and intimidation against the civilian population for collection of funds for its organisations.

3. All such declarations were made keeping in view that the Mizo National Front was virtually running a parallel government and to run the same had to resort to extortion, intimidation and other violent activities including killing of the people, namely, loyal government officers, sincere businessmen, hard working cultivators and even members of the judiciary. Therefore, the Central Government in exercise of its power conferred on it by sub-section (1) of Section 3 of the Act again had to issue a notification on 20-1-84 declaring the 'Mizo National Front and the other bodies set up by it, including the so-called Mizo National Army' to be unlawful association with further direction that this notification shall, subject to any order that may be made under Section 4 of the Act, have effect from the date of its publication in the Official Gazette. The said notification issued on 20th January, 1984 runs as follows :—

"S.O. 28(E)—Whereas the Mizo National Front (hereinafter referred to as the Front)—

- (i) Which had openly declared as its objective the formation of an independent Mizoram comprising of the Union Territory of Mizoram and the adjacent Mizo or Kuki inhabited areas of Assam, Manipur and Tripura has been continuing its activities to achieve the said objective and bring about secession of the said areas from the Union of India.
- (ii) has been employing an armed force, namely, the so-called Mizo National Army, and the other bodies set up by it, to achieve its aforesaid objectives;
- (iii) has, in furtherance of the aforesaid objective, been employing the members of the said armed force and other persons in attacking the Security Forces, the Government and the citizens in the Union Territory of Mizoram and indulging in acts of looting and intimidation against the civilian population and in recruitment of persons and collection of funds for its organisation;

- (iv) has, to achieve its aforesaid objective established contacts with, and secured assistance from foreign countries through its organisation and armed force for the so-called Mizo National Army;

And whereas the Central Government is of opinion that for the reasons aforesaid, the Front and other bodies set up by it, including its armed force, namely, the so-called Mizo National Army, are unlawful associations;

And whereas the Central Government is further of the opinion that because of the repeated acts of violence and attacks by armed groups of the so-called Mizo National Army on the Security Force and on the civilian population, it is necessary to declare the front and its other bodies, including the so-called Mizo National Army, to be unlawful with immediate effect;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby declares the 'Mizo National Front including the other bodies set up by it and the so-called Mizo National Army' to be unlawful association, and directs, in exercise of the powers conferred by the proviso of sub-section (3) of that section, that this notification shall, subject to any order that may be made under section 4 of the said Act, have effect from the date of its publication in the Official Gazette.

[File No. 13/17/82-NE, I]

I. P. GUPTA, Jr. Secy."

It is needless to say that under the scheme of the Act, the Central Government is empowered to declare any association as an unlawful association which shall be effective as and when confirmed by a Tribunal to which the matter is required to be referred under Section 4(1) of the Act. Therefore, as required, a Tribunal has to be constituted to decide whether or not there is sufficient cause for declaring the association unlawful. No doubt, the Tribunal has either to confirm the declaration or to cancel the same.

4. On such notification being issued, the Central Government in exercise of its power under Section 5(1) of the Unlawful Activities (Prevention) Act, 1967 has constituted this Tribunal by its notification published in Gazette of India Extraordinary in its issue dated 20-1-84. The said notification declaring the Mizo National Front and other bodies set up by it including the so-called Mizo National Army to be unlawful Association has been referred to this Tribunal in terms of Section 1 of the said Act for the purpose of adjudicating whether or not there is sufficient cause for declaring the associations mentioned in the notification as an unlawful association.

5. On receipt of the reference made under Section 4(1) of the Act, this Tribunal issued notices calling

upon the Mizo National Front and so-called Mizo National Army and other bodies set up by the front to show cause as to why these associations should not be declared unlawful, in terms of the aforesaid notification issued by the Government of India, Ministry of Home Affairs as quoted above. Notices were duly published and served as required under the Act and the Rules framed thereunder and this Tribunal being satisfied about due service of notices, started the proceeding in compliance with the provisions of law. In spite of service of notices, none of the aforesaid associations appeared before this Tribunal to challenge the declaration. Therefore, the enquiry had to be proceeded ex parte in accordance with the provisions of the said Act and the Rules framed thereunder.

6. The Central Government as well as the Government of Mizoram have appeared before this Tribunal to justify the said notification and in support thereof submitted affidavits and filed documents. As the proceeding is taken up ex parte, I have carefully considered the affidavits and other relevant documents which are made available to me in this regard. On perusal of the material placed before this Tribunal there can be no denial that one of the main objectives and possibly the only objective of the M.N.F. is the declaration for "independence of Mizoram" and to make a separate territory of its own as if it was never an integral part of the Union of India.

7. The Central Government by its notification dated 20-1-84 has declared the M.N.F. and the other bodies set up by them including the so-called 'Mizo National Army' to be unlawful association by virtue of the power conferred by sub-section (1) of Section 3 of the Unlawful Activities (Prevention) Act, 1967. The Terms Unlawful Activities has been defined in Section 2(f) of the Act which runs as follows:—

"2(f) 'unlawful activity', in relation to an individual or association, means any action taken by such individual or association (whether by committing an act or by words, either spoken or written, or by signs or by visible representation or otherwise), —

- (i) which is intended, or supports any claim, to bring about, on any grounds whatsoever, the cession of a part of the territory of India or the secession of a part of the territory of India from the Union or which incites any individual or group of individuals to bring about such cession or secession;
- (ii) which disclaims, questions, disrupts or intended to disrupt the sovereignty and territorial integrity of India;

Clause (g) of Section 2 of the Act defines the "Unlawful association", which means any association—

- "(i) which has for its object any Unlawful activity, or which encourages or aids persons to undertake any unlawful activity, or of which the members undertake such activity; or
- (ii) which has for its object any activity which is punishable under Sec. 153-A or Sec. 153-B of the Indian Penal Code (45 of



1860) or which encourages or aids persons to undertake any such activity, or of which the members undertake any such activity :

Provided that nothing contained in sub-clause (ii) shall apply to the State of Jammu and Kashmir."

8. While opening his argument, Mr. A. R. Barthakur, the learned counsel has submitted that though the scope of enquiry of the Tribunal is limited, yet the Tribunal is required to consider the following aspects :—

- (a) That the subject matter of the enquiry must be precise and shall confine to the terms of reference as regards the notification containing the declaration.
- (b) That while proceeding with the enquiry, sufficient notices must be caused upon the concerned associations intimating about the holding of an enquiry and the purpose thereof, and
- (c) Sufficient protection should be afforded to avoid violation of the Principles of Natural Justice.

The learned counsel has also referred to me some provisions of the Act, namely, Sections 2(f) & (g) and Sections 3, 4 & 5 of the Act. As regards the provisions of the aforementioned Sections I have already discussed the salient features of those provisions as laid down in the Act. None appears to represent the concerned association to challenge the notification. The allegations on the basis of which the said two organisations have been declared are also conspicuously apparent in Ext. P-47, a New Year Press release issued by Mr. Laldenga on 1-1-84. In the said press release Shri Laldenga has made several allegations against the Government of India. It has been alleged that "the people of Mizoram stood up, with resolute determination to free themselves from the Indian domination and colonisation". From the papers and documents which are made available to me it is clear that the M.N.F. organisation and/or association has published the booklet "Mizoram marches towards freedom" by Shri Laldenga, the Self Styled President of M.N.F. and published the book captioned "Foundation of Mizoram Independence" by Shri Zoranthanga, Self Styled Vice President of the M.N.F. constantly claiming an Independent Territory of Mizoram. I have been led to look to this aspect of the matter to determine its factual side based on documentary evidence relating to Issue Nos. I & II.

Mr. Barthakur has further submitted that on the basis of the various documents, the Government of India was objectively satisfied to issue the notification dated 20-1-84 as the earlier notification lost its force by 20th January, 1984. In course of his submission Mr. Barthakur has stated that the period of notification is kept only for two years by the expiry of which the notification ceases to have any force. The issuance of notifications from time to time had been made considering the gravement of offences committed by the said associations (M.N.A. & M.N.F. with its allied bodies) and to stop the insurgent activities. But as the things continued with fresh and repeated insurgent

activities, this notification was required to be issued on the expiry of the period of earlier notification dated 20.1.82.

9. On perusal of the affidavit and other relevant documents including notification in question, it becomes necessary to frame issues for a just decision in terms of reference. Therefore, on hearing the learned counsel Mr. A. R. Barthakur, Sr. Counsel, assisted by Mr. P. Barthakur, learned counsel on behalf of the Central Government and the Government of Mizoram the following issues are framed.

- (I) Whether the Mizo National Front has openly declared as its objective the formation of an independent Mizoram comprising of the Union Territory of Mizoram and the adjacent territories of Assam, Manipur & Tripura inhabited by Mizo or Kuki and has been indulging in continuing its activities to achieve the aforesaid objective of the formation of an independent Mizoram and bring about secession of the said areas from the Union of India ?
- (II) Whether the Mizo National Front has been employing its armed forces, namely the Mizo National Army and the other bodies set up by it to achieve its objective, namely, the formation of an independent Mizoram and bring about secession of the areas (as mentioned above in Issue No. 1) from the Union of India and in furtherance of it has been employing the members of the said armed force and other persons in attacking the security forces, the Civil Government and the civilian population in the Union Territory of Mizoram ?
- (III) Whether the Mizo National Front has been indulging in acts of looting and intimidation against the civilian population and recruitment of persons and collection of funds for its organisation and also established contacts with foreign countries and secured assistance from them through its organisations and armed force, namely, the Mizo National Army ?
- (IV) Whether the Central Government is justified in declaring the Mizo National Front and other bodies set up by it and the so-called Mizo National Army to be unlawful associations ?
- (V) Whether or not the Govt. of India had sufficient cause in issuing the Notification No. S.O. 28(E) dated 20th January, 1984 published in Gazette of India in its issue dated 20th January, 1984 declaring the front and the aforesaid associations including the formation of so-called Mizo National Army to be unlawful ? If so, whether the notification is valid and deserves confirmation ?

10. In support of the declaration, the Central Govt. & the Govt. of Mizoram examined 4 witnesses and exhibited number of documents including two affidavits filed on behalf of Union of India and the Union Territory of Mizoram. Besides, a brief resume prepared by the Joint Secretary to the Ministry of Home Affairs

in-charge of North Eastern States and Union Territories has been submitted. The enclosures with the resume contains a declaration of independence and along with other papers, a copy of constitution of so-called 'Mizoram Government'.

11. On bare perusal of the declaration it is manifestly clear that the main objective of M.N.F. is for an independent Mizoram. It has also alleged some causes why they had to issue such declaration and to have a constitution of their own. To justify such causes none appears before this Tribunal. There is no challenge of the notification issued by the Government of India declaring the M.N.F. and M.N.A. and the allied bodies as unlawful. Let us now examine the materials on record and the evidence adduced on behalf of the Government of India and the Government of Mizoram in support of the declaration made in the notification. P. W. 1 is Shri L. R. Laskar, Deputy Secretary to the Government of Mizoram, Home Department. He is a member of the Government of Mizoram Civil Service and has been working since 1973. He has stated on oath that M.N.F. and its armed wing M.N.A. are responsible for creating a disturbed situation in the Union Territory of Mizoram for which there was no alternative for the Central Government than to issue a notification declaring the said bodies as unlawful associations under the provisions of Unlawful Activities (Prevention) Act, 1967. From the evidence of P.W. 1 it is clear that the avowed object of these organisations is to secede from the Union of India and to form an independent Mizoram. The leader of the organisation is Mr. Laldenga under whose leadership the aforesaid movement has been creating serious law and order situation in the entire Mizoram. He has categorically stated that the activities of these organisations have spread over in Mizoram with a view to create and establish an independent Mizoram with the areas inhabited by Mizos and Kukis spreading over the areas covered by some portion of the Assam, Manipur, Tripura including some portion of two foreign countries, namely, Bangladesh and Burma. To achieve their objective, the members of these organisations are indulging in killing of innocent people, attacking civilian population, looting and also from time to time issuing "quit Mizoram notices" to non-Mizos. The members of the organisation also collect taxes under duress and they are continuing their insurgent activities even to the adjoining areas of Manipur and Tripura. In spite of functioning of a popular elected government, the M.N.F. has been running a parallel government which they term as "The Government of Independent Mizoram". All these facts have been clearly stated in the affidavit which has been duly proved and marked as Exhibit P1. The statements made in the affidavit as stated by this witness are based on materials available in the official records and documents received by the Government of Mizoram in courts of its official business.

12. As regards Issue Nos. I & II Mr. Barthakur, the learned Sr. Counsel has placed reliance on several exhibits besides the oral evidence of the witnesses. He has placed reliance on Ext. P6 which is a declaration of independence along with the constitution of so-called Mizoram government. Ext. P7 is a policy directive of so-called 'Mizoram Sarkar' whereby the entire Mizoram is divided into four operational areas. Ext. P8 is the constitution of M.N.F.

set up which includes the council of Ministers. Ext. P9 is the booklet captioned "Mizoram Marches Towards Independence" under the signature of Mr. Laldenga, Self Styled President of the M.N.F. along with a map showing proposed independent 'Greater Mizoram'. Ext. P17 is a booklet captioned 'Foundation of Mizoram Independence'. Mr. Barthakur has placed reliance on Exts. P18, P24, P30, P31, P42 & P52. Ext. P30 is an agreement dated 18-7-80 between PREPAK and M.N.F. Ext. P31 is a map showing operation of M.N.F. and M.N.A. bordering the Arakan Hills of Burma. Ext. P42 is a proceeding of celebration of 19th anniversary of M.N.F. Day dated 24-11-82. Ext. P52 is a letter dated 15th August, 1982 from Self Styled Brig. Gen. Thwnluia of Mizoram National Army to the Self Styled Commander, Tactical H. Qrs. stating inter alia that some friends in London were ready to help them in every way they could. Some reference has also been made in the said letter naming few foreign governments namely, Bangladesh, China and England. Ext. P16 is the brief narration of the M.N.F. organisation and the leadership of insurgents and the members of the office bearers and the political and military set up of the M.N.F. Ext. P19 relates to 'quit Mizoram order' issued by Zorathanga, Self Styled Vice President of so-called Mizoram Govt. with certain clarification. In this context Mr. Barthakur has submitted that they quit Mizoram notice have been repeatedly served from time to time to the inhabitants of Mizoram who are non-Mizos though they have excluded certain non-Mizo Christians who are employed in various services under Churches.

13. Shri Harendra Nath Sarma has been examined as P.W. 3. He is the Deputy Superintendent of Police, Prosecution at Aizawl Court in the Union Territory of Mizoram. He has been working in Mizoram since 1969. As a Police Officer in Mizoram, he is fully aware of the law and order situation and also the insurgent activities of these two organisations of which Shri Laldenga is the leader. In his evidence he has stated that the members of these two organisations have been running a parallel government in Mizoram and they have been indulging in unlawful activities, such as, collection of taxes from the civilian population, attacking and killing security forces and civilian population, para-military forces and members of the armed forces for the purpose of achieving their avowed object, namely, to establish an independent Mizoram by forcibly seceding from the Union of India. It is disclosed by this witness in his evidence on oath that there are sufficient materials on record to show that these organisations have established contact with foreign countries and obtained financial as well as arms aid to achieve their objective to form an independent Mizoram. The members of these organisations do not want to show any respect to the Indian Constitution. They have established their hide outs in Mizoram and camps outside Mizoram, namely, Bangladesh and Burma to carry out their illegal activities. These organisations have framed their own constitution and they have been running a parallel government in Mizoram. Their main objective is to form an independent Mizoram comprising the Union territory of Mizoram and the adjacent territories of Assam, Manipur and Tripura inhabited by Mizos

and Kukis and they have been indulging in continuing its unlawful activities to achieve the aforesaid object. This witness has produced the relevant documents which are material for the purpose of this enquiry. Ext. P8 is the constitution of Mizo National Front. The booklet "Mizoram marches towards freedom" and the booklet captioned "Foundation of Mizoram Independence" are the top echelon of the organisation.

14. One can have an idea that the basic theme of these two organisations are to form an independent Mizoram within the territory that has been depicted in the map depicting 'Greater Mizoram State'. These documents have been proved by witness No. 3. He has stated that he has a direct knowledge of those documents which he came across in course of his official duty as the Deputy Superintendent of Police. Witness No. 4 is Mr. K. Lalreia, Senior Information Officer in the department of Information, Public Relations and Tourism under the Government of Mizoram. He has proved certain documents. He has corroborated the testimony of P.W. 3. This witness has stated that these organisations have established parallel government known as "The Federal Government of Mizoram" with their own constitution and they have their own cabinet and other paraphernalia of a modern government. They have been forcibly collecting various types of taxes from the people of Mizoram and they indulge in killing civilian population and members of the security forces from time to time ever since they started the movement in the year 1966. He has stated that he has a direct knowledge of those facts as he has been working in the capacity of Senior Information Officer in the department of Information, Public Relations and Tourism. This witness has identified the signatures and writings of the authors of several documents and those being admissible in evidence are accordingly marked exhibits.

15. Mr. I. P. Gupta at present the Chief Secretary to the Government of Tripura has been examined as witness No. 2. He has been examined on behalf of the Government of India who has proved the notification (Ext. P3) both in English and Hindi, issued under his signature in the capacity of Joint Secretary to the Government of India, Ministry of Home Affairs (as he then was). The said notification is dated 20th January, 1984. He has also proved Ext. P4 the resume prepared in the Ministry of Home Affairs, Government of India under his supervision. He has further proved the contentions made in the affidavit Ext. P5 filed on behalf of the Government of India, Ministry of Home Affairs. Ext. P5(1) is his signature. He has stated that the contentions made in the affidavit are based on materials available with the Government of India at the time of issuance of the notification Ext. P4. It is found from his evidence that the M.N.F. have their hide outs in Mizoram and camps across the border which are not easily accessible. P.W. 2 has further stated that Mr. Laldenga reportedly sent a message on the New Years eve and the said message itself was secessionist in nature.

16. On overall scrutiny of the evidence on record oral as well as documentary, I find convincing evidence and clear un rebutted circumstances to the

effect that the M.N.F. has been indulging in attacking the security forces, the civilian government and the civilian population in the Union territory of Mizoram through its other organisations namely, M.N.A. They have openly declared their objective for the formation of an independent Mizoram comprising of the Union territory of Mizoram and the adjacent territories of Assam, Manipur and Tripura inhabited by Mizos and Kukis as shown in the map Ext. P10, published by them as "Greater Mizoram State". There is plethora of evidence on record to decide issue Nos. I and II in affirmative. Therefore, on the basis of overwhelming evidence on record in support of both the issues viz. Issue Nos. I and II, I decide them in affirmative.

17. As regards Issue No. III, reliance has been placed not only on oral evidence but on several documents namely, Exts. P20, P21(A), P21B, P22(C), P22(D), P22(E), P23(A), P23(B), P23C, P26, P27(A), P27(B), P27(C), P28, P29, P32, P33, P35, P36, P37, P38, P39, P41(A) to P41(G), P44, P46, P48 and Ext. P49 which contains the true copies of First Information Reports of different dates covering the period from 1982 to 1984 relating to various offences under Unlawful Activities (Prevention) Act as well as other Acts including Arms Act. Issue No. III relates to the allegations of act of looting intimidation against civilian population, collection of funds for its organisation and also establishment of contacts with foreign countries and secure arms and ammunition from them through its organisation and armed forces namely, Mizo National Army.

18. While deciding Issue Nos. I and II, I have already mentioned that the documents exhibited in this proceeding along with the oral evidence clearly show that various illegal activities are being committed by the members of the M.N.F. and M.N.A. by employing its armed forces to achieve the objective by attacking the members of the security forces, civilian government and the civilian population in the Union territory of Mizoram. There is plethora of evidence as regards the major violent activities committed by the members of M.N.F. and M.N.A. which I have already discussed above. Ext. P36 is the letter authorising to receive collection of donations on behalf of "Mizoram Sarkar" issued by Shri Rualchhina, Self Styled Finance Minister. Ext. P37 is the book containing counter foils of the receipt showing collection of taxes by so-called Mizoram Sarkar to raise funds. Ext. P38 is the receipt book printed under the name of so-called Mizoram Sarkar with regard to collection of funds. Ext. P41 series is the form of licences issued by so-called Mizoram Government under the head 'Finance Ministry' for the purpose of issuing licences to the businessmen. Ext. P44 is yet another document of so-called Mizoram government showing the manner of collection of road taxes from the owners of the Motor Vehicles demanding road taxes. Ext. P50 is another "quit Mizoram" notice issued in June, 1982. Ext. P53 is dated 15-1-83 which is a letter of warning issued by Shri R. Chhuzika, Self Styled Capt. of Mizo National Army, Aizawl, Mizoram to the President of Village Council members, Aizawl, to the effect that M.N.F. shall be free to take necessary action against them as they did not resign from the village Council Membership with



effect from 1st September, 1982. This is no doubt an intimidation and an open threat to the members of the Village Council. Ext. P51(A), Ext. P51(B) and Ext. P58 (R.T.B. orders issued from time to time) are also important documents for consideration. Exts. P62, P63 are equally relevant as they relate to quit Mizoram order issued by so-called Mizoram Govt. to non-Mizos. Ext. P64 is an order of so-called Mizoram Sarkar relating to levy of various rates of taxes to be collected from the people of Mizoram. The list of various types of taxes meant for collection for Mizoram Liberation Fund (M.L.F.).

The signatures of the authors contained therein have been duly testified by witness No. 4 Shri K. Lalreia. The letter issued by the Self Styled Town Commander to the Deputy Commissioner, Aizawl, demanding Rs. 8000/- lump-sum and 2 per cent of the pay from his staff is also worth noting. Again the Self Styled Town Commandar of Aizawl was required to collect a sum of rupees one lac for M.N.A. as revealed from the letter Ext. P45. This letter was issued in the name of Zoranthanga, Self Styled Vice President of M.N.F. and is dated 18-4-80. Referring to Ext. P12, P13, P52 and P55 and particularly Exts. P12 and P13, Mr. Barhakur the learned counsel has submitted that these documents are the glaring instances wherefrom it could be gathered without any doubt that these associations, namely, M.N.F. and M.N.A. have been collecting funds and receiving arms, ammunitions and other helps in collaboration with the foreign countries. Ext. P52 dated 15-8-82 is the operational instructions concerning Mizo Armed Police, a body formed by the M.N.F. with regard to their receiving arms training in the foreign countries.

In order to stop all these illegal activities, the present popular Government of the Union territory of Mizoram has issued a circular (Ext. 55), the relevant portion of which is quoted herein below :—

“.....By now, the public do not know sufficient ground for which the undergrounds should continue their activities. It appears that they are mostly busy in the cheapest

overground local politics. They formed a group like Pindaris giving warning to innocent people. These activities are not good even for them and the Mizoram needs them not.

Their activities are the main reason for which the Mizo people could not have peace at present also the reason for which we could not have a better status of statehood. The Govt. of India has clearly announced that Statehood will be given to us when peace was restored in Mizoram. The Mizo people could not regard those men standing on the way of peace and statehood as workers for the welfare of the Mizo people. As they are to come back, sooner or later, it is imperative that they come out soon so that they will be able to make settlement, benefitting themselves.”

Now it can be said without any doubt that the evidence which are placed before me are quite sufficient to conclude that Issue No. III should be decided in affirmative. Accordingly, I decide Issue No. III in affirmative.

19. In view of the decisions in Issue Nos. I, II & III in the affirmative, it can now be held that the Central Govt. was fully justified in declaring the Mizo National Front and the other bodies set up by it and the so-called Mizo National Army to be the unlawful associations. I, therefore, hold that there is sufficient cause for declaring the M.N.F. and other bodies set up by it including M. N. A. an unlawful association. Accordingly, I decide Issue No. IV in affirmative and confirm the notification dated 20-1-84 declaring them to be unlawful.

Sd/- T. C. DAS,

TRIBUNAL

[File No. 13/17/83-NE.T]

R. VASUDEVAN Jt. Secy.

